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Non-domination, Workplace Republicanism, and the Justification of Worker Voice and Control

Keith BREEN*

Recent years have seen two distinct responses emerge within republican political theory to the problem of managerial domination in the workplace. The first, as found within the ‘neo-republican’ theories of Philip Pettit and Frank Lovett, argues that, in addition to existing regulatory protections, free market exchange backed up with an effective right of exit for employees secured through unconditional basic income policies is sufficient to counter employer domination. The second response, advanced by a number of ‘workplace republicans’, challenges the neo-republican understanding of economic domination and the claim that a right of exit secured through basic income policies can sufficiently check managerial power. Under this alternative perspective, what are required are tight regulation of workplace practices and the institutionalization of worker voice and democratic control within firms. This article explores the neo-republican argument and strategy for limiting employer domination through an effective right of exit. It then moves to question the neo-republican position and to offer an evaluation and defence of some of the strategies recommended by workplace republicans as a means towards institutionalizing employee voice and control within firms.

Keywords: *freedom as non-domination, neo-republicanism, workplace republicanism, exit, worker voice, workplace democracy*

1 INTRODUCTION

In this article, I consider two distinct responses within recent republican political theory and philosophy to the problem of managerial authoritarianism and domination in the contemporary workplace. Both responses start from the republican ideal of freedom as non-domination, but draw quite different conclusions from that ideal. The first response is articulated by ‘neo-

* Dr Keith Breen, School of History, Anthropology, Philosophy, and Politics, Queen’s University, Belfast, Northern Ireland. This article was first presented at the *Theories of Domination and Labour Law* conference held in the University of Strathclyde, Glasgow, 21 October 2016. The author would like to thank the participants at that event, in particular Alan Bogg, David Cabrelli, Guy Davidov, Ruth Dukes, José Luis Martí, and Rebecca Zahn. Thanks are also owed to Cillian McBride, Janosch Prinz, Meghan Van Portfliet, Fabian Schuppert, and the audience at a meeting of Queen’s University’s *Research Seminars in Political Theory* for their comments on an earlier draft.

republicans' such as Philip Pettit and Frank Lovett.¹ Although Pettit and Lovett have not written extensively on workplace authoritarianism, in those places where they have addressed this issue they take a rather narrow view of economic domination and do not call for significant re-organization of workplaces or of the control of productive resources in order to minimize domination at work. Instead, they believe free market exchange based on voluntary contract where no one is forced to take up oppressive jobs or employment is enough to ensure workers' enjoyment of non-domination. This requires an effective right of exit, which Pettit and Lovett argue is best delivered by the welfare policy of unconditional basic income.² In guaranteeing that all citizens' basic needs are met, a policy of unconditional basic income would free workers from being compelled to take up bad jobs and thus constrain employers' ability to dominate them.

The second response comes from a group of theorists who can be loosely described as 'workplace republicans' insofar as they seek to apply republican political insights – among other insights, both socialist and liberal-egalitarian – directly to the governance of workplaces, and who, unlike many neo-republicans, have written extensively on the problem of workplace authoritarianism.³ Workplace republicans take a broader view of economic domination than

¹ While I concentrate on Pettit and Lovett for reasons of convenience and space, they are part of a broader neo-republican perspective that includes the work of Quentin Skinner, Maurizio Viroli, and Cécile Laborde, among others. On the distinctiveness of this broader neo-republican perspective centred on the ideal of non-domination and its distance from the alternative republican political theories endorsed, for example, by Hannah Arendt, Charles Taylor, and Michael Sandel, see I. Honohan, *Civic Republicanism* (Routledge 2002), C. Laborde and J. Mayor, *The Republican Contribution to Contemporary Political Theory*, in C. Laborde and J. Mayor (eds.), *Republicanism and Political Theory* (Blackwell Publishing 2008) 1–28, and C. McBride, *Freedom as Non-domination: Radicalisation or Retreat?*, 18 *Critical Review of International Social and Political Philosophy*, 349–374 (2015).

² See P. Pettit, *Freedom in the Market*, 5 *Politics, Philosophy & Economics*, 131–149 (2006), P. Pettit, *A Republican Right to Basic Income?*, 2 *Basic Income Studies*, 1–8 (2007), P. Pettit, *Just Freedom: A Moral Compass for a Complex World* (W.W. Norton & Company 2014), F. Lovett, *Domination and Distributive Justice*, 71 *The Journal of Politics*, 817–830 (2009), and F. Lovett, *A General Theory of Domination and Justice* (Oxford University Press 2010).

³ See E. Anderson, *Equality and Freedom in the Workplace: Recovering Republican Insights*, 31 *Social Philosophy and Policy*, 48–69 (2015), I. González-Ricoy, *The Republican Case for Workplace Democracy*, 40 *Social Theory and Practice*, 232–254 (2014), A. Gourevitch,

neo-republicans, calling for significant re-organization of workplaces and of the control of productive resources in order, among other things, to minimize employer domination. Workplace republicans are also generally of the opinion that the neo-republican focus on free market exchange and voluntary contract misses what is vital to any analysis of workplace authoritarianism, which is the capitalist firm and the organizational structure enterprises assume on account, in large part, of corporate, employment, and property law. Moreover, they doubt that a right of exit, whether guaranteed by unconditional basic income or other welfare policies, is sufficient to counter employer domination, arguing instead that what are required are tight state and sectorial regulation of employment practices and the institutionalization of worker voice and control within firms, that is, the (at least partial) democratization of enterprises.

In what follows, I first set out the neo-republican argument and strategy for limiting employer domination of workers through an effective right of exit and unconditional basic income policies. I then move to show why, with workplace republicans, we should not rest content with the neo-republican argument and strategy for countering workplace domination. I conclude with an evaluative sketch of some of the strategies recommended by workplace republicans as a means towards institutionalizing robust worker voice and control.

Labor and Republican Liberty, 18 *Constellations*, 431–454 (2011), A. Gourevitch, *Labor Republicanism and the Transformation of Work*, 41 *Political Theory*, 591–617 (2013), A. Gourevitch, *The Limits of a Basic Income: Means and Ends of Workplace Democracy*, 11 *Basic Income Studies*, 17–28 (2016), N.-h. Hsieh, *Rawlsian Justice and Workplace Republicanism*, 31 *Social Theory and Practice*, 115–142 (2005), N.-h. Hsieh, *Justice in Production*, 16 *Journal of Political Philosophy*, 72–100 (2008a), N.-h. Hsieh, *Workplace Democracy, Workplace Republicanism, and Economic Democracy*, 8 *Revue de Philosophie Économique*, 57–78 (2008b), and N.-h. Hsieh, *Work, Ownership, and Productive Enfranchisement*, in M. O'Neill and T. Williamson (eds.), *Property-owning Democracy: Rawls and Beyond* (Wiley-Blackwell 2012) 149–162. The label ‘workplace republican’ is used here simply to distinguish this group from other republican political theorists. The phrase is used by Hsieh to describe his own position, and closely fits the work of González-Ricoy. Gourevitch uses the term ‘labor republicanism’ to distinguish the strand of nineteenth-century American republicanism that underpins his work, whilst Anderson appeals to the egalitarian ‘radical republicanism’ of the Levellers, Locke, Rousseau, and Thomas Paine in grounding her arguments.

2 DOMINATION, RIGHT OF EXIT, AND THE CASE FOR UNCONDITIONAL BASIC INCOME

The fundamental republican political value is freedom. In the view of neo-republicans and their classical heirs, such freedom ‘consists, not in the presence of self-mastery, and not in the absence of interference by others, but rather in the absence of mastery by others’, namely, in the absence of domination understood as *arbitrary interference*.⁴ In contrast to the non-arbitrary interference of a constitutionally-restrained system of law, which is publicly justified in accordance with general interests, domination involves interference by agents that lacks public justification and does not ‘track the interests and ideas of the person suffering the interference’.⁵ Domination comes in two basic forms: as *imperium*, where people are vulnerable to unchecked public or state power in matters of governance or government, and as *dominium*, where people are vulnerable to unchecked private power in their relations with other individuals and non-public associations.⁶ Those subject to arbitrary power in either form suffer, as with a servant subject to his master’s will, a weakening of their position in three ways: in terms of constrained choice and options; in terms of ‘uncertainty’ and an inability to properly plan for their futures; and, most problematically, in terms of an ‘asymmetry of status’ and lessening of their sense of personal worth.⁷ A free society is one where these bads are minimized and a symmetry of status between persons institutionally embedded. And it is such symmetry of status that gives life to the ‘expressive equality’ at the heart of the republican

⁴ P. Pettit, *Republican Freedom and Contestatory Democratization*, in I. Shapiro and C. Hacker-Cordón (eds.), *Democracy’s Value* (Cambridge University Press 1999) 163–190, at 165. In more recent writings (for example, P. Pettit, *On the People’s Terms: A Republican Theory and Model of Democracy* (Cambridge University Press 2012), at 58), Pettit uses the term ‘uncontrolled interference’ rather than ‘arbitrary interference’ on account of its greater conceptual precision. Although not insignificant in itself, this change in terminology has little implication for the discussion here.

⁵ P. Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford University Press 1997), at 55.

⁶ *Ibid.*, 12–13. See also Pettit 2014, n. 2 above, at 77.

⁷ Pettit, n.5 above, at 82–90, and P. Pettit, *Keeping Republican Freedom Simple*, 30 *Political Theory*, 339–356 (2001), at 351.

ideal, enabling citizens to comport themselves with dignity and look each other in the eye without fear or apprehension.⁸

This vision of a free and expressly egalitarian society also underpins the neo-republican understanding of justice or, more particularly, social justice. ‘Societies are just’, Lovett contends and Pettit agrees, ‘to the extent that their basic structure is organized so as to minimize the expected sum total domination experienced by their members’.⁹ From this parsimonious understanding of social justice – justice understood simply as the minimization of domination, and not, for example, as the realization of fairness – ‘it follows’, according to Lovett, ‘that distributions of income and wealth, education and training, medical and other sorts of care, and so on, are only of instrumental concern’.¹⁰ What is of fundamental concern, however, is that the basic social structure is such that no citizens are subjected to arbitrary interference from others. Whichever distribution of income and wealth, et cetera, that – in conjunction with a system of basic liberties – best attains the goal of minimizing domination for all persons, viewed equally, is the one republicans should endorse.¹¹

There are many types of *dominium* or arbitrary private power republicans should be concerned with. These include the *dominium* of men over women, of teachers over pupils, and of transnational corporations over local communities and individual consumers.¹² In each of these cases, what grants the dominating party control over the dominated is their possession of superior institutional power or resources in some key regard, as when men control household finances or when corporations possess wealth and organizational capacity far in excess of that possessed by communities and individual consumers. In order to secure non-domination for

⁸ On ‘expressive equality’, see Pettit 2012, n. 4 above, at 78–79, 84–85, and Pettit 2014, n. 2 above, at 80.

⁹ Lovett 2010, n. 2 above, at 159. See also Pettit 2014, n.2 above, at 201.

¹⁰ Lovett 2010, n. 2 above, at 191. One could point out that in both Pettit’s and Lovett’s theories of social justice, non-domination is not, despite their claims to the contrary, in the end the foundational value. Instead, that value is the ideal of living a ‘meaningful life’, in the case of Pettit (Pettit, 2012, n. 4 above, at 101–104), or of living a ‘flourishing life’, in the case of Lovett (Lovett 2010, n. 2 above, at 130–136), an ideal that incorporates far more than the value of non-domination alone. I cannot explore the implications of this point for how we should understand the basis of republicanism here.

¹¹ Lovett 2010, n. 2 above, at 193.

¹² Pettit 2014, n. 2 above, at 89–93.

currently dominated parties, the republican ideal of social justice demands a rebalancing or realignment of the power or resources possessed by dominating parties.

The same applies to the *dominion* enjoyed by employers over employees. There are several reasons why particular employers might have *dominion*. They might, for example, belong to a privileged caste that has used its social position and control of legal processes to condemn certain groups to servile, degrading occupations. Or they might have illegally coerced workers to engage in dangerous and underpaid work, as happens with some gangmasters and so forth. In both of these cases, the origin of employer *dominion* stems from an unjust denial of basic rights. In a society with a free market untainted by fraud and caste privileges and in which people's basic rights are largely respected – which certainly is not true of most existing societies, admittedly – employer domination will usually flow from a different source to these, that is, from significant inequalities in terms of socio-economic resources and the concentration of these resources in a limited number of hands.

Both Pettit and Lovett see nothing objectionable in socio-economic inequalities per se. A 'property system or distribution will not be inimical as such to freedom' to the extent that 'it is the cumulative, unintended effect of people's mutual adjustments' via free market exchange.¹³ However, property systems and distributions are objectionable when they contingently generate levels of poverty or disadvantage that make the occurrence of domination highly probable.¹⁴ In such circumstances, the poor and disadvantaged are not in a position to stand up to an employer or manager. On the contrary, they are dependent upon that employer or manager and compelled 'to trade away some of their freedom from domination in order to meet what they regard as their basic needs'.¹⁵ This is the reason why many contract to do work that is poorly paid, insecure, characterized by personally demeaning hierarchical relationships, and unsafe.

There are various measures that can be utilized to limit workers' dependence on employers and to check the scope of employer power within the workplace. State-sanctioned workplace regulations can impose legal duties on employers regarding safety standards, the working day, wages, and acceptable managerial behaviour. Employees, in turn, can be further protected from arbitrary interference by being granted the right to unionize and to seek redress in cases of discrimination or arbitrary dismissal from a job.¹⁶ For Pettit and Lovett, these

¹³ Pettit 2006, n. 2 above, at 139.

¹⁴ *Ibid.*, 141

¹⁵ Lovett 2010, n. 2 above, at 196.

¹⁶ Pettit 2014, n. 2 above, at 89–90, Lovett 2010, n. 2 above, at 54.

measures, while important (though Lovett is not consistent on this), provide a check on worker dependency without addressing the source of that dependency itself, namely, workers being compelled to take on jobs so as to satisfy their basic needs and their consequent unequal bargaining position in relation to employers. What is required to rebalance this unequal bargaining position is an effective – not merely formal – right of workers to exit jobs. In ‘a well-functioning labor market,’ Pettit contends, ‘no one would depend on any particular master and so no one would be at the mercy of a master: he or she could move on to employment elsewhere in the event of suffering arbitrary interference’.¹⁷ The best way to ensure an effective right of exit is to have everybody’s basic needs provided for by the state in the form of an unconditional basic income. With this income to fall back on, no one would be compelled by circumstances to take up unattractive jobs or to accept managerial abuse at work; they would, instead, be free to seek alternative jobs. Having this choice would, in turn, give workers leverage to negotiate with potential employers on matters of pay and working conditions. Indeed, it is on account of everybody having their basic needs met (or largely met) and the negotiating leverage an unconditional basic income would provide, that Lovett thinks this policy ‘would replace most other public welfare programs, and eliminate the need for much workplace regulation and the minimum wage’.¹⁸

3 FIRMS, THE EMPLOYMENT RELATIONSHIP, AND THE INSUFFICIENCY OF RIGHT OF EXIT

Under the neo-republican view, what is ultimately required to counter workplace domination is free market exchange underwritten by an effective right of exit that grants workers bargaining

¹⁷ Pettit 2006, n. 2 above, at 142.

¹⁸ Lovett 2010, n. 2 above, at 199. In contrast to Lovett, Pettit does not think an unconditional basic income would replace other welfare measures or render workplace regulation unnecessary, instead believing that basic income would ‘complement’ existing welfare policies and workplace regulations (Pettit 2007, n. 2 above, at 5). That said, Pettit’s view of the workplace regulations required by republicanism corresponds very much with existing practice in the US and UK, states which are relatively minimalist as regards the extent of workers’ rights and protections introduced in their jurisdictions. My thanks to Alan Bogg on this point.

power in negotiating labour contracts.¹⁹ Workplace republicans dissent from this view for three reasons, these reasons being, to my mind, convincing.

The first concerns what they take to be the excessively narrow understanding of economic domination endorsed by neo-republicans on account of their misrepresentation of the institutional setting in which the vast majority of workers find themselves in capitalist societies. As argued by Elizabeth Anderson, the vision of workers freely negotiating the terms of their jobs ‘falsely assimilates the employee to an independent contractor, and thereby effaces the power relations entailed by employment’, that is, the power relations workers are exposed to as a result of becoming employees.²⁰ Independent contractors differ from employees in numerous important ways: they own their means of production, have discretion over their working week, can decide on which clients to provide their services to, and are free to negotiate the price of their services. But the vital difference neglected by neo-republicans – as well as, Anderson argues, by libertarians and liberals more generally – is that independent contractors are not governed by their clients, whereas employees *are governed* by employers.²¹ This is because when employees contract to take up a job, they, unlike independent contractors, ‘leave the [labour] market and enter a hierarchy within the firm, subordinate to their boss’.²²

In framing the problem of workers’ subjection to domination as one largely of rebalancing bargaining power in contractual exchanges on the labour market, neo-republicans and others therefore neglect the central institutional setting that is the modern firm. For Anderson:

Missing from this picture is capitalist firms, and the essential role of the state in defining their forms. Markets are not distinctive to capitalism; they exist in all economic systems more sophisticated than a hunter-gatherer economy. Capitalism is distinguished from other economic systems by its mode of production. *The labor contract is not properly seen as an exchange of commodities on the market, but as the way workers get incorporated under the governance of productive enterprises.* Employees are governed by their bosses. The general

¹⁹ Lovett 2010, n. 2 above, at 200.

²⁰ Anderson, n. 3 above, at 59–60.

²¹ Of course, some workers formally classed as ‘independent contractors’ – as seen with firms such as Uber and Deliveroo – are often in a worse position than traditional employees. However, this is because their formal status as independent contractors masks the fact that they are as controlled by a firm as are traditional employees, but without being entitled to standard employee protections.

²² *Ibid.*, 60. See also Gourevitch 2016, n. 3 above, at 18.

form of that government is determined by the laws of property, incorporation, and labor, not by contract.²³

Anderson's point here is that if we are concerned with contesting the domination of workers we must not simply focus on contractual exchange, but also attend to the hierarchical governance structures of productive enterprises. Employer *dominium* is not just a consequence of unequal bargaining power; rather, it is also, and perhaps more fundamentally, a consequence of the unequal authority relationships within firms that are legitimated and thereby rendered standard by corporate and employment law.²⁴ It is admittedly true that some workers, especially privileged workers with scarce skills, can negotiate with employers over the conditions of their entering a firm and the tasks they are to do when employees. However, and decisively, what is not up for negotiation is the legally determined reality that, once employees, they are subject to the orders and authority of their employer or manager.

This leads to the second reason for dissenting from the neo-republican stance on work-centred domination, that not only does it neglect the institutional reality of the modern firm, but also, and relatedly, that it fails to adequately address the sorts of arbitrary interference employees are exposed to *as a result* of their being in an employment relationship within a firm. As pointed out by Hsieh, a key feature of employment relationships is the assignment of

²³ Anderson, n. 3 above, at 50.

²⁴ It is quite surprising that nowhere does either Pettit or Lovett offer a sustained discussion of the modern firm, and this because attention to the firm should lead them to question the *dominium* and *imperium*, private and public power, dualism underpinning their neo-republican theories. On the firm as an institution lying between the private and public realms, see P.-Y. Néron, *Social Equality and Economic Institutions: Arguing for Workplace Democracy*, in G. Hull (ed.), *The Equal Society: Essays on Equality in Theory and Practice* (Lexington Books, 2015) 311–331, and D. Ciepley, *Beyond Public and Private: Toward a Political Theory of the Corporation*, 107 *American Political Science Review*, 139–158 (2013). For socialist and liberal-egalitarian arguments that the firm should be viewed as a form of government or system of quasi-political rule, and can be criticized for perpetuating authoritarian relationships, see J. Cohen, *The Economic Basis of Deliberative Democracy*, 6 *Social Philosophy and Policy*, 25–50 (1989), R. Dahl, *A Preface to Economic Democracy* (University of California Press 1985), M. O'Neill, *Three Rawlsian Routes towards Economic Democracy*, 8 *Revue de Philosophie Économique*, 29–55 (2008), C. Pateman, *Participation and Democratic Theory* (Cambridge University Press 1970), and M. Walzer, *Spheres of Justice* (Basic Books 1983).

‘residual decision-making rights’ to specific parties.²⁵ Having residual decision-making rights means having the right to decide on and exercise discretion over issues and contingencies not covered by prior agreements or arrangements – such as contracts, job descriptions, et cetera – or events which are unforeseen. In employment relationships, in line with the governance structures of contemporary productive enterprises, such discretion is vested in employers and managers. Of course, managerial discretion is important for all organizations, whether they involve an employment relationship or not (even in self-governing worker cooperatives managerial oversight would be required). It is important because it allows for the efficient coordination of action across numerous individuals and groups within an organization, and it makes possible the flexibility necessary for successful planning and reaction to unanticipated problems. Thus, the possession of residual decision-making rights and the managerial authority they confer is not objectionable in itself.²⁶ What is objectionable, however, is when, first, residual decision-making rights rest in managers’ hands *alone*, and, second, when this near exclusive possession of discretion enables managers to *disregard* the interests and opinions of those towards whom their decisions are directed.

And this is precisely what happens in capitalist firms (although, obviously, not only in capitalist firms or organizations). As we saw, entrance into these firms requires that employees accept, however unwillingly, their hierarchical governance structures – that bosses are enterprise rulers – and, therefore, the near exclusive possession of residual decision-making rights by managers.²⁷ Enjoying this near exclusive de jure right to decision-making, managers also enjoy the power to arbitrarily interfere in the activities of their subordinates. That power can, again, be limited by state-sanctioned regulations and collective bargaining agreements, as well as by contracts and well-defined job descriptions, but it cannot be eliminated altogether by these measures, since none of them can address all the contingencies which may arise or

²⁵ Hsieh 2008a, n. 3 above, at 81.

²⁶ Dahl, n. 24 above, at 128–129. See also F. Schuppert, *Being Equals: Analyzing the Nature of Social Egalitarian Relationships*, in C. Fourie, F. Schuppert, and I. Wallimann-Helmer (eds.), *Social Equality: On What It Means to Be Equals* (Oxford University Press 2015) 107–126, at 115.

²⁷ I use the word ‘accept’ in this sentence rather than ‘consent to’ for the reason that, for the vast majority of employees, managerial decision-making rights simply have to be taken as granted. On this, see Anderson, n. 3 above, at 50, 64, and R. Dahl, *A Right to Workplace Democracy? Response to Robert Mayer*, 63 *The Review of Politics*, 249–253 (2001), at 251–252.

dispense with the need for discretion in answering contingencies. Even with wide-ranging protections, employees will remain vulnerable to arbitrary managerial interference on a number of levels.²⁸ The most basic relates to managerial discretion over the tasks employees carry out, including decisions concerning the pace of work, overtime, and the apportioning of responsibility. Managers also have discretion over the broader level of employment conditions, ranging from the physical environment of the workplace, through opportunities for training, to promotion policies. And it is managers, or, rather, senior managers, who have the right to determine overall enterprise policy, including, the potential decision, among others, to relocate or even to close the enterprise. The effects on employees of arbitrarily exercised discretion on these three levels can be profound, resulting in negative transformations of their experience of the work process, the persistent denial of opportunities to some workers, and the imperilling of workers' relationships outside work, not least their familial and communal relationships.

Although neo-republicans such as Pettit and Lovett are very much concerned with arbitrary discretion and interference when it comes to public power and the political sphere, demanding robust forms of democratic oversight and control of political elites by citizens, they do not show the same concern as regards the potential for arbitrary interference within the economic sphere. This is partly explained – particularly in Pettit's case – by their optimistic belief that an effective right of exit is sufficient to address the problem of employer *dominion*. It is also explained by the apparent assumption that managers' near exclusive possession of residual decision-making rights is an institutional given, an indispensable feature of economic life. For instance, in arguing that 'reasonable people' who have their basic needs met 'may nevertheless voluntarily trade away some of their non-domination' to secure further resources, Lovett suggests that experiencing some degree of domination is an inevitable part of engaging in economic activity itself.²⁹ Of course, this is a suggestion no neo-republican, including Lovett, would ever make as regards citizens and their experience of power in the political sphere.

²⁸ See Hsieh 2005, at 122–123, 2008b, at 64, 2012, at 154, n. 3 above; González-Ricoy, n. 3 above, at 238; and K. Breen, *Freedom, Republicanism and Workplace Democracy*, 18 *Critical Review of International Social and Political Philosophy*, 470–485 (2015a), at 476–477.

²⁹ Lovett 2010, n. 2 above, at 202 (see also Lovett 2009, n. 2 above, at 828). Given this, Gourevitch (2013, n. 3 above, at 608) is assuredly right in claiming that neo-republicans tend to 'tacitly assume bosses enjoy residual control over disputed workplace issues – backhandedly re-affirming a form of subjection rather than criticizing it'.

Leaving this tension within neo-republicanism aside, the third reason for questioning the neo-republican stance on workplace domination concerns its reliance on the right of exit generally and universal basic income specifically to free employees from employer *dominium*. Workplace republicans certainly do not dismiss the right of exit as unimportant. The right to exit a job or occupation – or a marriage, club, political party, or church – is one of the basic rights distinguishing a free society from unfree social orders, as found under feudalism, et cetera. Nor do they necessarily dismiss unconditional basic income as inherently misconceived or mistaken.³⁰ Anything that genuinely bolsters workers’ ability to exit intolerable and demeaning jobs is, in their view, to be welcomed, whether unconditional basic income or other welfare measures. However, workplace republicans do question the adequacy, first, of the right of exit as a solution to employer *dominion* and, second, the adequacy of universal basic income in particular.

As to the general adequacy of relying on exit, the main difficulty with the neo-republican position is its almost complete silence on the sometimes substantial costs of exit and the manner in which these substantial costs bolster the capacity of employers to control and dominate employees. When considering leaving a firm in which they have been members for a length of time, employees face at least three sorts of exit cost.³¹ The first is the loss of intra-firm capital gained whilst a member of the firm. This includes the loss of time, energy, and other resources expended in gaining firm-specific skills and knowledge and in cultivating professional and personal relationships with fellow members of the firm. The second sort of cost relates to the considerable expense and uncertainty of securing and thereafter transitioning to a new job. This can be particularly problematic for workers with families and other dependants or who have strong locality-based, communal bonds. The third cost of exit is the risk of falling into sustained unemployment and the stigmatizing effects sustained unemployment can have on workers’ social position, self-esteem, and sense of personal

³⁰ I cannot here address those theorists who do think unconditional basic income mistaken and morally problematic. But see J. Elster, *Solomonic Judgements* (Cambridge University Press 1989), at 215, A. Gutmann and D. Thompson, *Democracy and Disagreement* (Harvard University Press 1996), at 279–282, and R. Muirhead, *Just Work* (Harvard University Press 2004), at 15–19.

³¹ On exit costs, see especially Hsieh 2005, at 128–132, 2008a, at 89–90, n. 3 above, but also Dahl, n. 24 above, at 114–115; Gourevitch 2013, at 608, 2016, at 23–24, n. 3 above; González-Ricoy, n. 3 above, at 239–241; and Breen, n. 28 above, at 478.

purpose.³² Taken together, these costs are serious concerns for workers having only generic, low-level skills, but they are also concerns for highly skilled workers in times of significant unemployment or where there is an over-supply of their specific high-level skills on the labour market. Given these costs, it would be oftentimes rational for employees to put up with considerable levels of arbitrary interference from managers – witness the persistent bullying many endure to hold on to their jobs – before finally opting for exit. Right of exit is, then, an important right, but not one we can fully rely upon if we desire employers and managers to respect and track the interests of employees in their decision-making. This is so because in many instances employers and managers will know that the threat of exit is not entirely plausible.

Similar criticisms apply to relying on exit through the provision of an unconditional basic income. An initial point to note here is that neither Pettit nor Lovett think unconditional basic income should be of a level to permit workers to take their leave of the world of paid work.³³ The exit right they have in mind, to use the terminology employed by Birnbaum and De Wispelaere, is a ‘strong exit’ right, where workers have the financial wherewithal to support them temporarily in exiting a job in favour of a better job, and not the ‘radical exit’ right of ‘leaving the labour market altogether’.³⁴ Thus, under the neo-republican viewpoint, even with an unconditional basic income workers will have to *and* should pursue employment opportunities. Two main problems attach to unconditional basic income when it is not directed towards the demanding (and perhaps undesirable) goal of freeing people completely from having to engage in paid employment. The first concerns its efficacy as a policy and the groups it is most likely to benefit. As for its efficacy, unconditional basic income ‘only offers a real [strong] exit option for those wanting to escape a bad job by moving to a better one *when* such

³² On the negative impact of unemployment, see Hsieh 2008a, n. 3 above, at 89, and M. Jahoda, P. Lazarsfeld, and H. Zeisel, *Marienthal: The Sociology of an Unemployed Community* (Transaction Publishers 2002 [1933]).

³³ For Lovett (2010, n. 2, at 203), domestic and global market constraints ‘ensure that the unconditional basic income will not be exceedingly generous. Indeed, it is important to observe that the grant provided by the highest sustainable basic income might not be large enough by itself to cover all of its recipients’ basic needs’.

³⁴ S. Birnbaum and J. De Wispelaere, *Basic Income in the Capitalist Economy: The Mirage of ‘Exit’ from Employment*, 11 Basic Income Studies, 61–74 (2016), at 63.

better jobs are available'.³⁵ If better jobs are not available, many workers exercising their right of exit will face the prospect of replacing one bad job with another or, returning to the third cost of exit addressed above, of potentially falling into long-term unemployment and thus periods of relative poverty (given the limit of a sustainable basic income grant). As for those it is most likely to benefit, we should recognize that whilst an unconditional basic income policy will grant all workers a regular income, it is unlikely to grant all workers 'an equal opportunity to exit'.³⁶ Vulnerable workers with a low skill and educational base, and without access to services such as subsidized training and other forms of support (childcare provision, et cetera), will be far less able in comparison to privileged workers to exit their current job and thus reduce the extent of the workplace domination they are subject to.

This leads to the second, more systemic, problem with unconditional basic income as a means to countering employer *dominium*. Even if this policy is efficacious, permitting most workers to move to genuinely better jobs, and even if it can be rolled out in ways that will ensure that all (or most) workers will benefit from it equally, it does little to contest the governance structures of capitalist firms or managers' near exclusive possession of decision-making authority. As made clear by Gourevitch:

While it is no doubt true that being able to fall back on a work-unconditional income will strengthen an employee's credible threat of exit, which gives her greater capacity to challenge a manager's power, this is entirely a *de facto* power. It does nothing directly to reduce an employer's legal prerogatives. Nor does it directly challenge the background structure of labor and property law that protects extreme inequalities in the control over property or that limits labor rights. ... Basic income policies are therefore compatible with enormous inequalities in control over productive resources.³⁷

In other words, the right of exit secured (with luck) by unconditional basic income is at most a right to leave particular firms. It is *not* a right to dispute the constitution of existing firms, the legitimacy of managerial residual decision-making authority, or employer-employee power disparities generally. Without a right – and the institutional means – to challenge enterprise governance, the basis of employer *dominium* will therefore remain largely intact.

³⁵ *Ibid.*, 65–66, my emphasis. I should note that these cautionary comments on unconditional basic income come from authors who otherwise staunchly defend the policy.

³⁶ *Ibid.*, 65. See also L. Haagh, *Working Life, Well-being and Welfare Reform: Motivation and Institutions Revisited*, 39 *World Development*, 450–473 (2011).

³⁷ Gourevitch 2016, n. 3 above, at 23–24.

4 THE WORKPLACE-REPUBLICAN CASE FOR WORKER VOICE AND CONTROL

Accepting the cogency of the above arguments requires us to think of institutional mechanisms other than exit that will effectively counter domination in the workplace. For workplace republicans, this means challenging and altering the legally enshrined governance structures of the modern firm. Against libertarians who would see this as unacceptable political interference with owners' property rights, workplace republicans point out that existing '[c]orporate and employment law supplies an infrastructure for capitalism ... [and thus represents] a public good provided by the state. As such, its structure is properly subject to evaluation and control by democratic processes'.³⁸ It is consequently appropriate and legitimate for citizens in a free republic to concern themselves with enterprise governance, since the state already provides a framework for that governance and, more significantly, that governance is a cause of many citizens being exposed to arbitrary interference. Hence the workplace-republican call for two mechanisms or approaches beyond exit to protect workers' freedom: the maintenance of the 'rule of law' constraints via state and sectorial regulation of workplace practices and the institutionalization of worker voice.

In stark contrast to Lovett, who thinks the need for much workplace regulation would be eliminated by an effective exit option, workplace republicans wish to extend rather than draw back state and non-state regulation of firms.³⁹ The purpose of workplace regulation, following González-Ricoy, is not to establish 'the right of employees to costlessly quit, so they can use it as an implicit threat in their daily relation with managers. Rather, it attempts to set clear and specific standards to which managers have to conform in the exercise of their authority, in order to reduce their discretion'.⁴⁰ Similar to a bill of political and civil rights that secures significant protection for citizens from arbitrary state interference, a bill of workplace rights ensures the same for employees against unchecked employer discretion. The rights in question are typical employment rights giving expression to basic labour standards as set out by the

³⁸ Anderson, n. 3 above, at 64.

³⁹ Note that Lovett's problematic stance on workplace regulation is not a necessary conclusion of his theory. For a fruitful application of his neo-republican theory from a labour-law perspective, see Cabrelli and Zahn in this issue. For a convincing argument that Pettit (and even moreso Lovett) has perhaps an unduly constrained view of the empirical policy implications of the ideal of expressive equality, see McBride, n.1 above, at 365–368.

⁴⁰ González-Ricoy, n. 3 above, at 242.

International Labour Organization and in domestic workplace legislation, as well as collectively determined professional and industry-specific agreements. These rights impose legal duties and restrictions on employers and managers as regards wages and pensions, holidays, safety standards, dismissal, harassment, discrimination in hiring and promotion, the allocation of overtime, and so forth. And they are protected and enforced by external bodies, including trade unions, arbitration committees, equality commissions, employment tribunals and labour courts, et cetera.

Insofar as regulation provides a constitutional framework for enterprise government akin to the constitutional framework for political government, the regulatory approach for combating employer domination is vitally important from a republican perspective.⁴¹ It sets the acceptable terms of employment relationships, limits managerial power and discretion, provides modes of redress, allows for accountability, and backs all these up with sanctions. Regulation, therefore, has salutary disciplining effects on organizational behaviour. That said, workplace republicans see regulation, like exit, as again insufficient in countering workplace domination. Their first reason for thinking it insufficient on its own is the reliance of this strategy on enforcement by external bodies. The difficulty here is that pursuing a hearing and restitution through external bodies can be quite costly for employees and their organizations and is, for the most part, reactive, that is, is usually a response to prior arbitrary interference. As such, it cannot always undo the damage done to employees.⁴² The second reason concerns the application of regulatory frameworks within firms. Although all firms within a specific sector will be faced with a general set of regulatory requirements, how these requirements are internally embedded will vary across different firms, depending upon the goals and actions of senior managers, et cetera. There is, then, considerable scope for arbitrary discretion in the interpretation and implementation of regulations. Finally, and returning to a point made in section 3 above, while regulation can address general forms of workplace domination, it cannot address all instances of domination that may contingently arise on account of managers enjoying near exclusive possession of decision-making authority. There will, in short, be opportunities for arbitrary interference that no existing regulatory measure is designed to

⁴¹ González-Ricoy (*ibid.*, 242–244) explicitly links workplace regulation with political constitutionalism, describing the regulatory approach as ‘workplace constitutionalism’. See also Anderson, n. 3 above, at 67.

⁴² Hsieh 2008a, n. 3 above, at 92.

address *ex ante*.⁴³ Hence the workplace-republican insistence on the need to institutionalize worker voice.

There are many potential republican strategies for institutionalizing worker voice. However, here I focus on just two for reasons of space, but also because they represent very different understandings of the implications of republicanism for workplace governance.⁴⁴ Both take as their starting point the republican model of democratic governance at the level of the state and public power and seek to apply that model to enterprise governance. However, the first strategy, as articulated by Nien-hê Hsieh, insists on only a limited application of republican democratic theory to enterprises. According to Hsieh, resilient defence against arbitrary interference requires a mode of workplace governance in which employees are positioned ‘to contest managerial decisions that result in severe forms of interference not only *ex post*, but also as part of the decision-making process internal to economic enterprises’.⁴⁵ Grounded on a reading of Pettit’s republican theory of government as being chiefly concerned with placing constraints on political authorities and guaranteeing the contestability of their decisions, Hsieh terms this form of enterprise governance ‘workplace republicanism’, though a more accurate term would be ‘contestatory workplace representation’.⁴⁶ Significantly, and in intentional contrast to prevailing conceptions of workplace democracy, workplace

⁴³ González-Ricoy, n. 3 above, at 246–247.

⁴⁴ I also cannot discuss here republican strategies focused not on exit, regulation, or voice but on the *ownership* of productive capital. A fully adequate theory of workplace governance – whether republican or otherwise – would have to address the power disparities occasioned or obviated by different ownership and property regimes. On the attractions of worker cooperatives, see, for instance, Dahl 1985, n. 24 above, and Gourevitch 2011, 2013, n. 3 above; on the liberating potential of Rawlsian ‘property-owning democracy’, see Hsieh 2012, n. 3 above, and S. White, *Republicanism and Property-owning Democracy: How Are They Connected?*, 37 *The Tocqueville Review/La Revue Tocqueville*, 103–124 (2016).

⁴⁵ Hsieh 2005, n. 3 above, at 136–137.

⁴⁶ He is mistaken to identify his proposal with ‘workplace republicanism’ per se, given the variety of ‘workplace republicanism’, some of which are more demanding and ambitious than his. We should attend here, as well, to Hsieh’s reductive characterization of Pettit’s ‘interpretation of the essence of republicanism as the constraint of the state’s exercise of discretionary power and the guarantee of a citizen’s right to contest decisions made by the state’ (Hsieh 2008a, n. 3 above, at 93), which leaves out entirely Pettit’s concern for citizen influence and control over state actions.

republicanism as Hsieh conceives it does *not* involve employee control – or even control shared with managers and capital owners – of enterprise policies, but rather the representation of workers in managerial decision-making processes in ways which ensure their voice and criticisms will be heard.⁴⁷ The reason why Hsieh thinks worker control an inappropriate goal is his belief that such control is incompatible with managerial residual decision-making rights, which are required for the efficient running of organizations.⁴⁸ Instead, then, of voice as a means to control, we should view voice as a contestatory means to protection. The institutional mechanisms allowing for worker voice and the right to contest decisions will vary in line with the level of managerial decision-making and the threat of arbitrary interference posed. At the level of the execution and surveillance of the work process, there could be internal ‘adjudicative bodies’ tasked with resolving day-to-day disputes between managers and workers, whereas managerial decisions impinging on general conditions of employment and overall enterprise policy would be more effectively dealt with by work committees and by worker representation on boards of directors, as to be found, Hsieh suggests, in the German system of co-determination.⁴⁹

Hsieh’s reduction of the workplace-republican strategy of voice to a right of contestation rather than a right of (at least partial) control is beset, in my view, with problems.⁵⁰ First, what kind of voice is granted workers if the right to contest managerial decisions does not necessarily involve some degree of organizational control? Second, what are the incentives for supervisors and managers to respect employees’ basic interests if the right of contestation is not tied to binding internal sanctions, these binding internal sanctions being a key feature of organizational control? To the employees concerned, it might very well appear that without enjoying an effective degree of control, their voice would be a voice that must be listened to, but not one which would have to be addressed and acted upon. It might also appear that without controlling sanctions, employers would be tempted in periods of conflict to ignore or circumvent the recommendations of internal adjudicative bodies and workplace committees. In

⁴⁷ Hsieh 2005, n. 3 above, at 138.

⁴⁸ Because enterprise ‘decisions cannot be specified from the outset of any working relationship, the exercise of [managerial] discretion becomes a required feature of economic activity and the basis for economic organizations in the first place. Hence, the challenge is to protect workers against arbitrary instances of interference without ruling out [managerial] discretion altogether’ (Hsieh 2008a, n. 3 above, at 92; also Hsieh 2005, n. 3 above, at 116).

⁴⁹ Hsieh 2005, n. 3 above, at 137, 139.

⁵⁰ Here I draw on previous criticisms of Hsieh (Breen, n. 28 above, at 279–282).

such circumstances, employees would then have to make recourse to external bodies, whether courts and employment tribunals or unions and the deterrent of strike action. Yet this undercuts one of the chief reasons for institutionalizing worker voice, which is, as we saw above, that these external institutions are not fully adequate to the task of upholding workers' basic interests – a point Hsieh himself concurs with.⁵¹ Finally, under Hsieh's proposal, worker representation in decision-making procedures seems to amount in effect to an internal retrospective right of redress, rather than a prospective right to influence enterprise direction and policy. Such redress may serve employees better than resorting to external institutions such as labour courts, but it is a rather poor substitute for the power provided by being included in agenda setting and the determination of enterprise policy.

Other workplace republicans – González-Ricoy and Gourevitch, for instance – insist that voice must be linked with effective workplace control, and, thus, workplace democracy as typically conceived. Workplace democracy can take several guises, ranging from the modest form of co-determination – where employees enjoy varying degrees of shared control with employers and capital owners in determining key enterprise policies⁵² – through to self-governing worker cooperatives, where workers themselves decide on enterprise policy and own the means of production. The justification for opting for some form of workplace democracy, and, therefore, some form of employee control rather than contestatory representation, is that this is what the republican viewpoint, consistently interpreted and applied, in the end requires. Republicanism as envisioned by Pettit and others demands, as regards the state and political sphere, not only that citizens have the resilient right to contest decisions, but *also* the resilient right to jointly share in 'influence' and 'control' over decision-making so as to prevent unchecked interference and thereby legitimate the collective order itself.⁵³ Joint influence and control are what, in essence, make us free and equal citizens.

⁵¹ Hsieh 2005, n. 3 above, at 136. That said, external bodies such as unions are vital to political mobilization and the maintenance of employee power generally, as I discuss below.

⁵² Contra Hsieh, co-determination, as the very term implies, is not just about contestation, but also about granting employees a measure of organizational control at operational and strategic levels. See J. Addison, *The Economics of Codetermination* (Palgrave Macmillan 2009) and W. Müller-Jentsch, *Germany: From Collective Voice to Co-management*, in J. Rogers and W. Streeck (eds.), *Works Councils* (University of Chicago Press, 1995), 53–78.

⁵³ By 'influence', Pettit understands the shared right and ability to contribute to decision-making; by 'control', the shared right and ability to contribute to decision-making, plus the capacity to impose a 'direction' on decision-making processes. Such influence and control

Yet if joint influence and control are what ultimately make us free in terms of non-domination at the political level, it must be the case that we should enjoy a similar status as free and equal persons in other major spheres of life. This is because the domination we can suffer in these spheres is no less substantial than the domination we are vulnerable to in political relationships.⁵⁴ It is also because republicanism is as concerned with countering *dominium* and private power as it is with checking *imperium* and public power, since both sorts of power involve some individuals or groups governing and ruling over others. However, perhaps the most fundamental reason why we should be concerned with our status as free and equal persons in other major spheres of life, including the workplace, is that relations of domination in these spheres threaten the republican principle of expressive equality itself. In situations where some relate to others in the manner of superiors, ruling over them without regard to their interests or views, those in a subordinate social position are likely to see themselves as not being of comparable social value or worth.⁵⁵ When internalized into our self-understandings, this sense of social inferiority is personally damaging in engendering attitudes of resignation and deference contrary to the republican demand that we be able to look each other in the eye without fear or apprehension. Relatedly, it is also damaging insofar as it indirectly undercuts the republican ideal of citizenship, since the courage to voice criticism of powerful groups and to insist on a right to joint influence and control definitive of the good citizen depends on us thinking ourselves the equal of all others in our polity.

Accepting these points, the question then becomes one of how the republican insistence on the importance of voice as a mode of joint influence and control might be applied to workplaces. It is impossible here to properly explore the ways in which the republican insistence on joint influence and control could take root within the contemporary firm. Instead,

must be ‘individualized’, that is, open equally to all; ‘unconditioned’, that is, not dependent on the good will of governmental or other agencies; and ‘efficacious’, namely, strong enough to resist the imposition of an alien will. See Pettit 2012, n. 4 above, at Chs 3, 4, and 5, and Pettit 2014, n. 2 above, at Ch. 5.

⁵⁴ A point made forcefully by Anderson, n. 3 above, at 68: ‘While the democratic state poses a greater danger than workplace governments in the severity of sanctions it can impose, workplace governments pose a greater danger in the sweeping scope and minuteness of regulation of workers’ lives on (and sometimes off) the job’. See also Ciepley, n. 24 above.

⁵⁵ On this, see in particular Néron, n. 24 above, and G. Dow, *Governing the Firm: Workers’ Control in Theory and Practice* (Cambridge University Press 2003), at 36–37.

in the remainder of this section, I aim only to suggest that joint influence and control are as realizable in the firm as they are in the democratic state, that no necessarily insuperable obstacle stands in the way workplace democratization.

The workplace, of course, is a context and system different to the democratic state, and not simply because state membership encompasses all citizens within the state's territory, whereas membership of a particular firm normally encompasses only a small number of citizens. For example, the workplace is far less open in terms of the purposes or ends it can serve, given that one condition of entering and remaining in a firm is, for employees and managers alike, the acceptance and furtherance of a determinate set of goals: the provision of a specific product or service rather than other products and services, the imperative to stay viable and make a profit, et cetera. Moreover, and most significantly, all firms of any sort of complexity will – in contrast to the presumption underpinning the democratic state that citizens qua citizens occupy the same role – be structured in accordance with a division of labour that apportions responsibility and discretion unequally to members occupying different roles.

If we take this point about organizational complexity seriously, the application of the republican norm of resilient influence and control to the firm cannot therefore mean that employees should enjoy exclusive control or even control identical to that possessed by managers, since authority relations and hierarchical structures are required within firms (as they are within state agencies and other bureaucratic institutions, too). It does, however, mean, as argued by Schuppert, 'giving each and every worker a *fair share* within a system of joint control'.⁵⁶ By 'fair share' here we should understand a level of influence and control that is at least sufficient to reliably secure workers' equal status and power vis-à-vis other organizational stakeholders. Granting workers this fair share in joint control means, in turn, rejecting the commonplace yet mistaken belief that efficiency requires managers to have near exclusive possession of residual decision-making rights and, relatedly, that all authority relations are inevitably authoritarian in character.

While managerial discretion is ineliminable if we are to have efficient and responsible organization, a right to the exercise of discretion need not be the prerogative of one particular group or thought of as justifying authoritarian workplace relations. We can clearly distinguish between, on the one hand, authority relations justified solely on the basis of a functional division of labour that enables the cooperative coordination of action across individuals and organizational units, and, on the other, authority relations premised on the assumption, following Frederick Taylor's theory of scientific management, that there is an inherent

⁵⁶ Schuppert, n. 26 above, at 116, my emphasis.

difference in kind between the knowledge and tasks of workers and managers, this difference warranting managers' near exclusive possession of decision-making rights and a rigid, inegalitarian organizational hierarchy.⁵⁷ Where the latter sort of authority relation is perforce authoritarian and anti-democratic in character, the former sort remains very much compatible with broader democratic governance.⁵⁸ This is because, being justified solely on account of a functional division of labour in which the different roles occupied by workers and managers are all equally essential to the success of the enterprise, it does not presume a difference in kind between workers and managers and, thus, poses no fundamental challenge to the republican, democratic ideal of expressive equality or symmetry of status.⁵⁹ And in being compatible with the ideal of expressive equality, it is also consistent with institutional provisions allowing for both democratic oversight – workers having a right to contest decisions made by managers – and for democratic input – workers having the right to contribute to and shape decision-making.

We can readily envisage examples of effective democratic oversight and input within existing firms. Focusing on democratic input, it is not at all infeasible, for instance, as in the case of self-governing enterprises such as cooperatives, to have workers elect managers from their midst or hire in managers from outside, and for them to do this more competently and with greater accountability than is currently done through managerial self-selection in authoritarian enterprises.⁶⁰ In other forms of workplace democracy where there is shared

⁵⁷ See F.W. Taylor, *The Principles of Scientific Management*, in F.W. Taylor, *Scientific Management* (Harper & Row 1947 [1911]) 1–144.

⁵⁸ For a sophisticated argument to this effect, see C. McMahon, *Authority and Democracy: A General Theory of Government and Management* (Princeton University Press 1994). For a critique of the contestible authoritarian assumptions of Taylorism and scientific management, see K. Breen, *Production and Productive Reason*, 17 *New Political Economy*, 611–632 (2012).

⁵⁹ Of course, authority relations legitimated solely in terms of a functional division of roles can (and oftentimes do) contingently develop in ways inimical to expressive equality on account of the formal and informal norms operative within a firm – hence the importance of a supportive organizational culture to maintaining non-authoritarian workplace relations.

⁶⁰ See Dahl, n. 24 above, at 118–120, 128–130, Anderson, n. 3 above, at 61, and K. Breen, *Freedom, Democracy, and Working Life*, in A. Azmanova and M. Mihai (eds.), *Reclaiming Democracy: Judgment, Responsibility, and the Right to Politics* (Routledge 2015b) 34–49, at 42.

control between employees, managers, and owners, authority relations could be tempered and rendered non-arbitrary with no effect on efficiency by employees having decision-making rights on specific issues, including, for example, the introduction of new promotion policies, proposals to increase executive remuneration, or fundamental changes in the overall goal of the firm (moving from agricultural machinery to weapons as its main product line, et cetera). If these two examples of possible democratic input do not strike us as outlandish, we have little reason to think workplace democratization itself necessarily wrong-headed.

5 CONCLUSION

The central thrust of the above arguments is that the republican aim of securing freedom as non-domination for workers, to the extent that they, like citizens, are entitled to respect as free and equal persons, cannot be fully satisfied by a right of effective exit, a right to regulatory protection, or even a right to contestatory voice. It requires, as well, a fairly apportioned controlling voice within enterprises. Having this controlling voice, employees would be positioned not only to walk away from bad jobs, to appeal to external regulatory bodies, or to retrospectively contest earlier decisions that may now be impossible to reverse, but also to prospectively stymie policy proposals flagrantly against their basic interests and, more positively, to recommend and advance enterprise policies of their own devising.

The implications of workplace republicanism for the organization of firms are undoubtedly radical in a time when workplace authoritarianism is deemed natural and left unquestioned by many, including many workers. Accepting this truth about our current political constellation, should we not therefore conclude that the far-reaching changes called for by workplace republicans are utopian yearnings with no purchase on the present? Should we not, instead, be ‘realistic’ and seek solutions to employer domination that run with the grain of contemporary capitalism, rather than holding out for its transformation? While close attention to reality is assuredly a virtue, resigned surrender to the present is not, and insofar as they condemn us to perpetuating unacceptable workplace relations we have grounds for rejecting these sceptical assessments of workplace republicanism, especially if we think the republican principle of free and equal citizenship an appropriate standard by which to judge socio-political relationships and the institutions maintaining them. The workplace-republican perspective sets out with clarity what republicanism as a doctrine of freedom has to say about our working lives. Were we to dismiss the goal of limiting domination in the workplace through increased worker voice and control as normatively compelling but practically hopeless,

then we would have to be consistent and dismiss, as well, the republican goal of limiting domination in the political sphere via citizen voice and control, our democracies being in certain respects themselves thinly veiled oligarchies dominated by vested interests as formidable and self-seeking as those dominating firms and corporations.

Yet just as there is some room for cautious optimism as regards realizing freedom in the political sphere, so, too, is there room for cautious optimism as regards realizing freedom in the economic sphere.⁶¹ How, then, and by way of conclusion, might the workplace-republican project advance politically? There exist no blueprints to follow, but one obvious prerequisite is socially efficacious employee power. The right to intra-firm voice and control that provides a key focus of arguments for workplace democracy will only arise – since employers and managers are unlikely to gift it on their own accord– if workers possess and exercise substantial extra-firm voice and control through their own organizations, including trade unions and related professional and political bodies.⁶² It is here that the workplace-republican struggle for workplace democratization has to make common cause with the traditional labour movement and broader social struggles aimed at securing freedom and equality for all.

⁶¹ Focusing just on cooperatives, one could point to the success in times of economic crisis of the Mondragon Corporation in the Basque Country and the recuperated enterprises in Argentina, among other examples. See R. Flecha and I. Santa Cruz, *Cooperation for Economic Success: The Mondragon Case*, 33 *Analyse & Kritik*, 157–170 (2011), F.J. Forcadell, *Democracy, Cooperation and Business Success: The Case of Mondragón Corporación Cooperativa*, 56 *Journal of Business Ethics*, 255–274 (2005), F.M. Rossi, *Building Factories without Bosses: The Movement of Worker-managed Factories in Argentina*, 14 *Social Movement Studies*, 98–107 (2015), and M. Vieta, *The Social Innovations of Autogestión in Argentina's Worker-recuperated Enterprises*, 35 *Labor Studies Journal*, 295–321 (2010).

⁶² González-Ricoy, n. 3 above, at 249–250, Gourevitch 2016, n. 3 above, at 26.